

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *[Signature]*

BOARD AGENDA # *C-4

Urgent Routine

AGENDA DATE April 26, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Transportation Development Act Claim for Fiscal Year 2010-2011, Claim #2

STAFF RECOMMENDATIONS:

1. Approve the Fiscal Year 2010-2011 Transportation Development Act claim, Claim #2.
2. Authorize the Director of Public Works to execute and submit the claim to the Stanislaus Council of Governments (StanCOG).

FISCAL IMPACT:

Transportation Development Act Local Transportation Funds (LTF) fund routine road and bridge maintenance. The submitted claim is for \$767,379. On submittal of the proposed and final budget, there was uncertainty as to the availability of these funds; therefore they were not budgeted at that time. The additional funding will offset the use of previously budgeted Highway Users Tax, which will be retained in fund balance.

BOARD ACTION AS FOLLOWS:

No. 2011-253

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

ATTEST: *Christine Ferraro*
CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

Local Transportation Funds (LTF) are derived from the one-fourth cent of the general sales tax collected statewide. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenue to each county's LTF. These funds are required to be used primarily for transit purposes. Funds remaining once transit needs have been met are available for local streets and roads, construction and maintenance. The Stanislaus Council of Governments (StanCOG) administers the distribution of these funds.

Local Transportation Funds (LTF) are used to fund routine road and bridge maintenance and non-motorized projects. Routine road and bridge maintenance includes, but is not limited to; patching potholes, shoulder maintenance, signing and striping of roadways, bridge repair, and roadway resurfacing.

At the time of the budget, there was uncertainty as to the availability of these funds; therefore they were not budgeted. Prior to submittal of the claim, StanCOG requires that the Board of Supervisors take the following actions:

1. Approve the claim and its attachments. (A copy of the claim is available from the Clerk of the Board.)
2. Identify the dollar amount claimed for LTF (\$767,379).
3. Authorize the individual, by title, to submit the claim to StanCOG.

Section 99233.3 of the Public Utilities Code requires that 2% of identified funds be used for non-motorized purposes. At least half of the 2%, within a five-year period, must be used for bicycle improvements. To accumulate sufficient funds for larger projects funds may be held in reserve for the jurisdiction, by StanCOG for up to five years. Transportation Development Act Claim #1 approved non-motorized LTF funds for Fiscal Year 2010-2011 in the amount of \$160,787 on November 9, 2010 with Board Item #2010-696. There are no additional non-motorized funds requested on Claim #2. The supplemental funds will be used for routine road and bridge maintenance.

POLICY ISSUES:

The recommended actions are consistent with the Board's priorities of providing A Safe Community, A Healthy Community, and A Well Planned Infrastructure System. The accessing of these funds contributes to maintaining the County's road system in an acceptable and safe condition.

Approval of the Transportation Development Act Claim for Fiscal Year 2010-2011, Claim #2

STAFFING IMPACT:

There is no staffing impact associated with this item.

CONTACT PERSON:

Matt Machado, Public Works Director. Telephone: (209) 525-4130.

JS:lc

H:\CLERICAL\Board Items\2011\LTF 2010-11, Claim 2_BOS4.26.11

**TRANSPORTATION DEVELOPMENT ACT
LOCAL TRANSPORTATION FUND
NON-TRANSIT CLAIM FOR FISCAL YEAR 2010/11
CLAIM #2**


TO: Stanislaus Council of Governments
1111 I Street, Suite 308
Modesto, CA 95354

FROM: Applicant: County of Stanislaus
Address: 1716 Morgan Road
City Modesto Zip: 95358
Contact Person: Diane Haugh Phone: 525-4100
E-mail Address: Diane.Haugh@stancounty.com Fax: 525-4152

The County of Stanislaus hereby requests, in accordance with the Transportation Development Act and applicable rules and regulations, that its annual non-transit claim be approved in the amount of \$ 767,379 for fiscal year 2010/11, to be drawn from the Local Transportation Fund.

When approved, please transmit this claim to the County Auditor for payment. Approval of the claim and payment by the County Auditor to this applicant is subject to such monies being on hand and available for distribution, and to the provisions that such monies will be used only in accordance with the terms contained in the approving resolution to the Stanislaus Council of Governments.

The claimant certifies that this Local Transportation Fund claim and the financial information contained therein is reasonable and accurate to the best of my knowledge and conforms with the requirements of the Transportation Development Act and applicable rules and regulations.

Submitted by: 
Title: Director of Public Works
Date: 4/4/11

StanCOG Board of Directors:

Date of approval: June 15, 2011

Resolution #: 10-57


StanCOG Approving Authority

Vincent Canales, Jr., Finance Director

**BOARD OF SUPERVISORS
2011 OCT 12 A 8:12**

**LOCAL TRANSPORTATION FUND
NON-TRANSIT CLAIM
FY 2010/11
CLAIM #2**

TABLE 1

1.	Planning, Local --PUC 99262/99402	\$ -
2.	Streets and Roads --PUC 99400 (a)	\$ 767,379
3.	Nonmotorized - 2% LTF funds --PUC 99233.2/99234	\$ -
4.	Nonmotorized - Other LTF funds * --PUC 99233.2/99234	\$ -
5.	TOTAL CLAIM	\$ 767,379

This table is to be filled out by StanCOG staff

County of Stanislaus**Total Non-Transit LTF available to be claimed:**

FY 2010/11 Nonmotorized apportionment	\$ -
FY 2009/10 Nonmotorized apportionment	\$ -
FY 2009/10 Nonmotorized supplemental	\$ -
FY 2008/09 Nonmotorized held in reserve at StanCOG	\$ -
Total 2% Nonmotorized available to be claimed at this time **	\$ -
FY 2009/10 Streets and Roads **	\$ -
FY 2010/11 Streets and Roads	\$ 767,379
Total Streets and Roads available to be claimed at this time	\$ 767,379
Total available to be claimed at this time	\$ 767,379

* Street and Road funds may be claimed for nonmotorized purposes, if desired.

** The County's FY 2010/11 Claim #1 was approved by the Policy Board on 12/15/10.

**NONMOTORIZED PROJECTS
FY 2010/11
CLAIM #2**

(Use additional forms if necessary)

**TABLE 2
BREAKDOWN BY PROJECT**

BRIEFLY DESCRIBE PROJECTS AND EXPENDITURES INCLUDED IN THE 3 YEAR PERIOD BELOW										
ID	PROJECT TITLE	MODE			FOR BIKE PROJECTS ONLY		2008/09 ACTUAL EXPENDITURES	2009/10 ESTIMATED EXPENDITURES	2010/11 CLAIM	ACTUAL / ESTIMATED EXPENDITURES FOR 3 YEAR PERIOD
		B I K E	P E D	P L A N	PROJECT IN StanCOG's BIKE PLAN *	PROJECT IN CITY/CO BIKE PLAN *				
							\$0.00	\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00	\$0.00
TOTAL FUNDS APPROPRIATED TO PROJECTS							\$0.00	\$0.00	\$0.00	\$0.00

**TABLE 3
BREAKDOWN BY CATEGORY**

RECORD LTF FUNDS ONLY							
	% of Total Expenditures	2006/07 Actual	2007/08 Actual	2008/09 Actual	2009/10 Estimate	2010/11 Claim	5 Year Total
Bicycle facilities	#DIV/0!	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Pedestrian facilities	#DIV/0!	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Preparation of Bicycle Plan	#DIV/0!	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL AMOUNT OF BIKE/PED EXPENDITURES		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

DOES THIS CLAIM MEET THE MINIMUM 50% BICYCLE EXPENDITURE STANCOG PERFORMANCE STANDARD? #DIV/0!
 StanCOG 50% bicycle expenditure requirement: The 5 year bicycle expenditures must be 50% or greater.

**TABLE 4
FUNDS HELD IN RESERVE AT JURISDICTION**

RECORD LTF FUNDS ONLY				
	2006/07	2007/08	2008/09	2009/10
Fiscal year beginning fund balance	\$0.00	\$0.00	\$0.00	\$0.00
Plus fiscal year 2% nonmotorized claim	\$0.00	\$0.00	\$0.00	\$0.00
Plus interest	\$0.00	\$0.00	\$0.00	\$0.00
Minus nonmotorized expenditures	\$0.00	\$0.00	\$0.00	\$0.00
Fiscal year ending fund balance	\$0.00	\$0.00	\$0.00	\$0.00

- | | |
|---|-----|
| 1. Prior year(s) LTF carryover held by jurisdiction applied towards FY 2010/11 Nonmotorized claim (TABLE 4) | \$0 |
| 2. Interest earned on previously paid LTF funds held by jurisdiction (required by State law) (TABLE 4) | \$0 |
| 3. New FY 2010/11 Nonmotorized 2% funds applied towards FY 2010/11 projects (must match Page 2, Line 3) | \$0 |
| 4. New FY 2010/11 non-2% LTF funds applied towards Nonmotorized claim (must match Page 2, Line 4) | \$0 |
| 5. New FY 2010/11 Nonmotorized 2% funds to be held at StanCOG | \$0 |
| 6. FY 2008/09 Nonmotorized 2% funds to be held at StanCOG | \$0 |
| 7. Total of lines #1 through #6 above | \$0 |

SEE PAGE 3b FOR NONMOTORIZED REGULATIONS/POLICIES AND NOTES

NONMOTORIZED PROJECTS
FY 2010/11
(Continued)

NONMOTORIZED REGULATION/POLICY REMINDERS:

- A. State law allows a jurisdiction to use LTF to update a Bicycle Action Plan once every five years (PUC 99234(h)).
- B. State law allows a jurisdiction to use up to 20% of the amount available each year to restripe Class II bicycle lanes (PUC 99234(h)).
- C. State law allows a jurisdiction to use up to 5% of the amount available each year to supplement moneys from other sources to fund bicycle safety education programs, but the funds shall not be used to fully fund the salary of any one person (PUC 99233.3).
- D. All funds must be spent within five years of receipt. Over the five-year period shown in Table 3, at least 50% of funds must be spent for bicycle purposes. StanCOG will not allocate funds to any jurisdiction which is in violation of these policies.

NOTES:

- * If the project is in StanCOG's Bicycle Action Plan, please indicate its Priority Group from that Plan (example: Yes - Priority #4).

By StanCOG policy, all bike projects must appear in either StanCOG's Bicycle Action Plan, or in a City or County bicycle plan, to be eligible for LTF funding.

- ** Beginning with FY 2003/04, nonmotorized funds will only be allocated by StanCOG for specific projects. If no project is identified, funds will be held in reserve at StanCOG for eventual use by that jurisdiction.

**ANNUAL PROJECT AND FINANCIAL PLAN
STREET AND ROAD PROJECTS FOR FY 2010/11
CLAIM #2**

(Use additional forms as necessary)

TABLE 5

Briefly describe all proposed projects and indicate proposed project expenditures for right of way acquisition and the construction of street and road projects.					
Project Title & Brief Description	Will this Project add new travel lanes? Yes or No	Will this Project use Federal Funds? Yes or No	Is this Project consistent with the RTP Yes or No	Total Project Cost	LTF Funds Utilized
General Maintenance of Roads and Bridges	NO	NO	N/A	\$ 767,379	\$ 767,379
TOTAL				767,379.00	767,379.00

- | | |
|--|---|
| 1. LTF carryover applied towards FY 2010/11 Streets and Roads | <input type="text"/> |
| 2. Interest earned on LTF carryover (required by State law) | <input type="text"/> |
| 3. FY 2010/11 apportionment applied towards FY 2010/11 Streets and Roads | <input type="text" value="767,379.00"/> |
| 4. Total of 1, 2 and 3 above (must match total LTF in Table 4 above) | <input type="text" value="767,379.00"/> |